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10/033,138

11/02/2001

Dongyan Wang

2705-700

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09/14/2007

MARGER JOHNSON & MCCOLLOM, P.C.
210 SW MORRISON STREET, SUITE 400
PORTLAND, OR 97204

EXAMINER

PERUNGA VOOR, VENKATANARAY

ART UNIT

PAPER NUMBER

2132

MAIL DATE

DELIVERY MODE

09/14/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/033,138

Applicant(s)

WANG, DONGYAN

Examiner

Venkat Perungavoor

Art Unit

2132

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 August 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 56-82 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 56-82 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

Applicant's arguments, see pages 8-10, filed 8/14/2007, with respect to the rejection(s) of claim(s) 56-59 and 63-66 under 35 USC § 102(e) as being anticipated by Levine(US 2005/0015443) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of US Patent 2002/0150091 A1 to Lopponen et al.(hereinafter Lopponen).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 56-59, and 63-66 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 2005/0015443 to Levine in view of US Patent 2002/0150091 to Lopponen et al.(hereinafter Lopponen).

Regarding Claim 56, 63, 70, Levine discloses the receiving a definition of first group of plurality of users see Fig. 2 item 42, 44 & 39; receiving a definition of a second group see Par. 0063-0065; the inclusion of first group and exclusion of second group see Par. 0068(where new subscribers are deny admission into a group and further talks of editing the group description to exclude existing members). But does not explicitly

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disclose the automatically generating of group to include the first group and exclude second group according to received definition of desired group. However, Lopponen discloses the automatically generating of group to include the first group and exclude second group according to received definition of desired group see Par. 0139 & Par. 0142 & Par. 0144.

Regarding Claim 57, 64, 71, 78, Levine discloses handles of the group be modified see Par. 0125, whereby the name, group listing and etc are modified.

Regarding Claim 58, 65, 72, 79, Levine discloses the creating of group according to received definition see Par. 0123 & Par. 0128.

Regarding Claim 59, 66, 73, 80, Levine discloses the categories of groups, including private, public see Par. 0122; further of adding non-members into community to form group see Par. 0128.

Regarding Claim 77, 81, Levine discloses the interface to receive definitions to make it available or not for inclusion into a desired group see Fig. 2 item 42; forming group with permission of administrator see Fig. 7 item 210 & Par. 0064.

Regarding Claim 78, Levine discloses the sharing of properties within a group see Par. 0065.

Regarding Claim 79, Levine discloses the group being formed thorough invitations see Par. 0064.

Regarding Claim 80, Levine discloses the public and private groups see Par. 0068.

Regarding Claim 82, Levine discloses the security of group also being accounted for see Par. 0068(i.e. bad behavior resulting in dismal from group). Further, Lopponen discloses the access rights being assigned and managed for a group see Par. 0138 & Par. 0136.

Claims 60-62, 67-69, 74-76, are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 2005/0015443 to Levine in view of US Patent 6505300 to Chan et al.(hereinafter Chan).

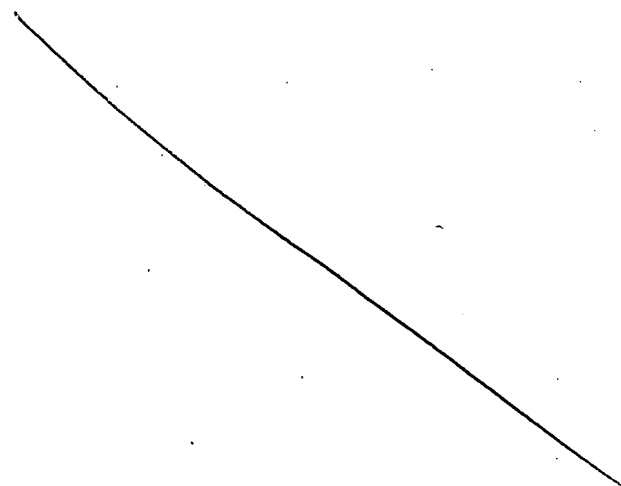
Regarding Claim 60-62, 67-69, 74-76, Levine does not explicitly disclose the exclusion nor inclusion of more than one group. However, Chan discloses the exclusion and inclusion of multiple groups into a desired group see Col 6 Ln 1-33 & Fig. 2-3. It would be obvious to one having ordinary skill in the art at the time of the invention to include the exclusion and inclusion of multiple groups into a desired group in the invention of Levine in order to provide multiple groups with restrictive privileges as taught in Chan see Fig. 3.

Conclusion

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Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Venkat Perungavoor whose telephone number is 571-272-7213. The examiner can normally be reached on 8:30-5:00. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

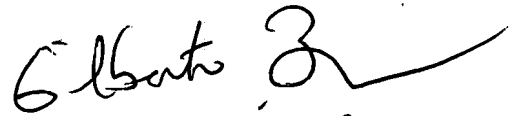


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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/VP/

Venkat Perungavoor
Examiner
Art Unit 2132
September 11, 2007


GILBERTO BARRON JR
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100